

**SLAWSON EXPLORATION COMPANY, INC.'S RESPONSE TO ENVIRONMENTAL
PROTECTION AGENCY'S REQUEST FOR INFORMATION PURSUANT TO
SECTION 308 OF THE CLEAN WATER ACT**

Slawson Exploration Company, Inc. ("Slawson") respectfully submits this response to the U.S. Environmental Protection Agency's ("EPA") October 19, 2016 Request for Information Pursuant to Section 308 of the Clean Water Act ("CWA"), 33 U.S.C. § 1318(a) ("Request").

GENERAL OBJECTIONS

Slawson makes the following General Objections to the Request, including the request for documents contained therein and incorporates its General Objections into each of the written responses that follow. In addition, and without waiver of its General Objections, specific objections to individual questions in the Request are, where appropriate, stated in response to that particular question. Without waiving or limiting these objections, Slawson has attempted to respond to the Request as completely and accurately as possible based on information presently available.

- (1) Slawson objects to the Request to the extent that it: (a) is overly broad or vague; (b) is unduly burdensome; (c) contains redundant requests; (d) seeks information that may be derived or ascertained from documents identified and made available by Slawson; or (e) seeks information that is otherwise in the public record.
- (2) Slawson objects to the Request to the extent it seeks information that is not authorized or required to be furnished under Section 308 of the CWA and is not relevant to the stated purpose of the Request or within the scope of information required to be made available under Section 308 of the CWA.
- (3) Slawson objects to the Request to the extent it seeks information that is not kept in Slawson's regular course of business or required to be kept by any applicable state or federal law, regulation, or permit.
- (4) Slawson objects to the Request to the extent it purports to obligate Slawson to supplement its Response with additional information for an indefinite period of time, as such an obligation is overly burdensome and unreasonable and not authorized or required by Section 308 of the CWA.
- (5) Slawson objects to the Request, and to the request for documents contained therein, to the extent it calls for information or documents that are protected under the attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the self-evaluation privilege, the right of privacy laws, and/or any other applicable privilege or protection.
- (6) Slawson objects to the Request, and to the request for documents contained therein, to the extent it seeks to impose on Slawson an obligation to seek or obtain information or documents from third persons or in the public record, or which otherwise are not in Slawson's possession, custody, or control.

- (7) Slawson objects to the Request to the extent it is arbitrary and capricious, an abuse of discretion, and/or without basis in law.
- (8) Slawson objects to the Request to the extent it calls for an expert opinion which was not available at the time of the Request.
- (9) Slawson objects to the Request to the extent it calls for a legal conclusion.
- (10) Slawson objects to EPA's demand that a Slawson duly authorized official sign a Statement of Certification because there is no legal basis for requiring such a certification as part of a Section 308 information request.

SPECIFIC OBJECTIONS TO THE INSTRUCTIONS AND DEFINITIONS

Without waiving or limiting its General Objections, which apply to all subparts of the Request, Slawson makes the following objections to the Definitions and Instructions, and to all questions, including requests for copies of documents, which use these Definitions or rely on operative terms in the Instructions. Without waiving or limiting its Specific Objections to the Definitions and Instructions, Slawson has responded to the Request to the best of its ability.

- (1) Slawson objects to Instruction No. 2, which directs Slawson to provide on each document produced a notation indicating the question to which they are responsive, on the grounds that the Instruction is unduly burdensome and time-consuming, as well as unnecessary. However, Slawson has provided Bates numbering on each document produced and has provided the documents to EPA in electronic file folders organized by question number.
- (2) Slawson objects to each Definition to the extent that it is inconsistent with applicable law, regulation, guidance, and interpreting court decisions.
- (3) Slawson objects to the Definition of "Discharge" to the extent that it requires Slawson to make a legal conclusion in its response.

RESERVATIONS OF RIGHTS AND DEFENSES

Without waiving or limiting its General and Specific Objections, Slawson respectfully reserves all rights and defenses available to it in law or equity.

RESPONSES TO QUESTIONS IN THE REQUEST

1. **Provide details of the specific location of the discharge, including the following:**
 - a. **the latitude, longitude, datum, county and state;**

RESPONSE:

LUNKER FEDERAL 2-33-4H Well (the "Lunker Well" or "Well")

Latitude: 47.948209
Longitude: -102.338304
Mountrail County, North Dakota

b. the street address and city, if applicable;

RESPONSE: Not applicable.

c. the township, range, quarter-sections and fractions for rural areas; and

RESPONSE: NW/4NW/4 Section 33, Township 152N, Range 91W. *See* NDIC Scout Ticket in Folder 1.

d. whether the discharge was on Indian lands. If the discharge was on Indian lands, state which ones.

RESPONSE: Slawson objects to the term “Indian Lands” as vague, undefined, and overly broad. Additionally, Slawson objects to this request to the extent that it calls for legal conclusion. Without waiving its General or Specific Objections, Slawson responds that the Lunker Well is located within the exterior boundaries of the Fort Berthold Indian Reservation, but the Lunker Drilling and Spacing Unit does not include Indian surface or Indian minerals.

2. Describe the facility (i.e., pipeline, tank, well and/or tank battery, truck railcar, boat, etc.) from which the oil, pollutant, or contaminant was discharged.

RESPONSE: Slawson objects to the terms used to describe “facility” as vague, undefined, and overly broad. Without waiving its General and Specific Objections, Slawson responds to the Request below.

a. Describe the operations and all business activities conducted at the well site associated with the discharge. Include a description of any type of container, tank, pipeline, equipment, well, separation and treating unit which produces, gathers, stores, processes, refines, recycles, distributes, transports, uses or contains any type of oil in any capacity that is associated with the well that contributed to the discharge.

RESPONSE: Slawson objects to the terms “operations and all business activities conducted at the well site” as overly broad, vague, and unduly burdensome. Without waiving its General and Specific Objections, Slawson states that the Well is a producing oil and natural gas well. The equipment at the facility on December 12, 2012 included six 400-Barrel (“bbl”) steel oil storage tanks, one 400-bbl fiberglass produced water storage tank, and one 100-bbl steel heater/treater containing produced water, oil, and natural gas. In January 2013, the Well was connected to the Pelican Gathering Systems, LLC pipeline and remains connected to that pipeline. There is a 98 percent efficient engineered

flare on site for tank vapor destruction and in the event of an emergency natural gas burn incident. It is our understanding that the wellhead of the Well was the only piece of equipment on the Well Pad that contributed to the discharge.

- b. Provide the date of first production of the well associated with the discharge.**

RESPONSE: The Well was completed on October 11, 2012, and the initial production test occurred on October 25, 2012. The Lunker Well has been producing since October 11, 2012. *See Affidavit of Production in Folder 2.*

- c. Provide the spud date for the well associated with the discharge. Provide the date of the most recent well completion prior to the December 2012 well blowout. Include a diagram of the well completion details.**

RESPONSE: The Well was spud on August 17, 2012 and completed on October 11, 2012, and the initial production test was performed on October 25, 2012. *See NDIC File and NDIC Scout Ticket in Folder 2.*

- d. Provide the lease name and number. Also provide the name, NDIC, API number and/or other numbers for the well associated with the discharge and all wells located at the same well site.**

RESPONSE: Lunker Federal 2-33-4H; NDIC 23105; API 33-061-02154-00-00; CBT No. 12305.

- e. List any applicable federal, state, county or local governmental identification number for the well or permit numbers (i.e., NPDES, RCRA, Oil and Gas Commission, etc).**

RESPONSE:

<u>Number</u>	<u>Facility/Unit Assigned To</u>	<u>Issuing Agency</u>	<u>Date Issued</u>
CA NDM 101220 NDM 98944 NDM 101220 (MT9222.MP)	LUNKER FEDERAL 2-33- 4H	BLM	9/28/2011
APD # 23105	LUNKER FEDERAL 2-33- 4H, NWNW Section 33-152N- 91W	NDIC	6/8/2012

3. **Identify all current owner(s) (and corresponding percentage ownership interest) of the well associated with the discharge, and provide the current owner(s) Dun & Bradstreet number. Also, identify the parent corporation or other entity (if any) of the current owner(s) and all owners of the well for the last two years. If the current owner is not the original owner of the well, also state when the current owner purchased the well.**

RESPONSE: Slawson objects to this request on the grounds it is overly broad, vague, unduly burdensome, and requests information not within Slawson's possession, custody, or control. Without waiving its General and Specific Objections, Slawson states that the working interest ownership in the well as of the spud date of August 17, 2012 and the current ownership of the well is described in the documents contained in Folder 3.

4. **Identify the operator of the well if different from the owner at the time of the discharge. Describe the relationship between the owner and operator (i.e., employee, contractor, subcontractor, lessee, etc.). State when the current operator first began operating the well.**

RESPONSE: Slawson was the operator of the Well when the Well was spud, when the blowout occurred, and is the current operator of the Well.

5. **State what type of business unit (i.e., corporation, partnership, limited liability company, etc.) owns and/or operates the well associated with the discharge.**

RESPONSE: Slawson is a corporation.

6. **When and in what state was the business incorporated or organized? In what state(s) is it authorized to do business? Provide copies of all documents filed with the state where the business was incorporated or organized since the time of incorporation or organization until today and all documents filed for that same time period with the North Dakota Secretary of State's Office.**

RESPONSE: Slawson is a corporation organized under the laws of the State of Kansas on September 23, 1976. Slawson is authorized to do business in North Dakota, Kansas, Colorado, Oklahoma, Texas, California, Montana, and Wyoming. Slawson objects to the relevance of documents filed before 2011. Accordingly, Slawson has provided its Articles of Incorporation and the Annual Reports filed since 2011 in Kansas and North Dakota. *See* Folder 6.

7. **If the business is a corporation, identify all corporate officials, and provide the Articles of Incorporation and the latest Annual Report (or similar document) filed with the state where incorporated and the North Dakota Secretary of State's Office. If the business is a limited liability company, identify all members and managing members/managers.**

RESPONSE: The current officers of Slawson are the following individuals:

Name	Title
Robert T. Slawson	President
Stephen B. Slawson	Vice President
Kathy Atkins	Vice President and Treasurer
Stuart Kowalski	Vice President and Secretary
Kurt M. Petersen	Vice President, Land and Legal
Marcia Brungardt	Vice President

See Articles of Incorporation and Annual Reports in Folder No. 7.

8. **Does the facility associated with the well that contributed to the discharge have a Spill Prevention Control and Countermeasures (SPCC) Plan as required by 40 C.F.R. Part 112? If so, send a copy of the SPCC Plan.**

RESPONSE: The facility has an SPCC Plan, which is included in Folder 8.

- a. **What is the *total* storage capacity for the facility associated with the well?**

RESPONSE: The total storage capacity for the facility is 400 bbls of produced water and 2400 bbls of crude oil.

- b. **How is oil produced at the well transported from the facility (i.e., truck, pipeline, railcar)?**

RESPONSE: At the time of the blowout, oil produced at the facility was transported from the facility by truck. The facility is now connected to pipeline infrastructure, and therefore the oil produced is transported by pipeline.

9. **Describe all inspections or other investigations that were conducted as required by 40 C.F.R. Part 112, on the facility associated with the discharge. Provide all documents that relate in any way to such actual inspections or investigations.**

RESPONSE: The Annual Reports required by 40 C.F.R. Part 112 are included in Folder 9.

10. **Describe the operations at the well site at the time that any indication of a potential blowout of the well was first detected. Describe the daily activities of the individuals working at the well site prior to the discharge. Describe any procedures for when a discharge is suspected, and provide all documents regarding such procedures. Identify the persons who work at the well site, and specifically identify those individuals who were working at the well site during**

the period before the discharge was detected and the 48 hours after the well blowout was detected.

RESPONSE: Slawson objects to this request on the grounds it is overly broad, unduly burdensome, and requests information not within Slawson's possession, custody, or control. Additionally, Slawson objects because the request is unclear as to whether it is referring to a discharge or blowout. Without waiving its General or Specific Objections, Slawson responds as follows:

Operations on the Well. The discharge occurred at approximately 3:30 p.m. CST on December 12, 2012. At that time, Slawson was performing clean-out operations on the well (also called "workover operations") by removing hydraulic fracturing material (sand) from the well to restore it to producing status prior to putting the Well on artificial lift. Magna Well Service ("Magna") was conducting the workover operation. Larry Garcia was Slawson's Contract Supervisor on the Well Pad and for the operation. During the cleanout operation, a set of undersized elevators failed and the tubing dropped down the wellbore. Because of a modification to the blowout preventer ("BOP"), which was not authorized by Slawson and was inconsistent with Slawson's standard operating procedure, no blind rams were present and the Well could not be shut-in and began to discharge fluid. The Well Pad was evacuated, and Wild Well Control was called to control the Well. The Well was capped and brought under control on the night of December 14, 2012. Cleanup of the Well Pad was started shortly thereafter on December 15, 2012.

Personnel. Mr. Garcia and the Magna crew were working at the facility at the time of the incident.

Procedures for when a discharge is suspected. Because of the incredibly variable nature and causes of well blowouts, Slawson does not have any written procedures for when a discharge is suspected.

11. State the time and date of the discharge and how this was determined.

a. When was the discharge discovered (time and date)?

RESPONSE: The incident was discovered on December 12, 2012 at approximately 3:30 p.m. CST.

b. Identify the individual who first discovered the discharge and how that individual discovered it.

RESPONSE: Mr. Garcia first discovered the incident. Mr. Garcia was supervising the cleanout operation. He discovered the incident when the tubing dropped into the wellbore, and the Well began to discharge fluid.

- c. **State the weather conditions, including temperature, precipitation, cloud cover, etc., throughout the duration of the discharge.**

RESPONSE: Slawson objects to this request on the grounds that it requests information not within Slawson's possession, custody, or control and not otherwise required to be maintained under section 308 of the CWA. Without waiving its General and Specific Objections, Slawson understands the weather conditions in Stanley, North Dakota, which is 26 air miles directly north of the Well Pad, to have been as follows:

Date	Mean Temp	Max Temp	Minimum Temp	Wind Speed	Max Wind Speed	Max Gust Speed	Events
12/11/12	10°F	21°F	0°F	12 mph	21 mph	26 mph	Snow Thunderstorm
12/12/12	13°F	21°F	5°F	5 mph	8 mph	-	Fog Snow
12/13/12	18°F	32°F	5°F	6 mph	13 mph	-	Snow
12/14/12	17°F	28°F	6°F	8 mph	15 mph	45 mph	Fog

See Stanley, North Dakota, Weather History for K08D – December, 2012, Weather Underground, https://www.wunderground.com/history/airport/K08D/2012/12/12/DailyHistory.html?req_city=&req_state=&req_statename=&reqdb.zip=&reqdb.magic=&reqdb.wmo= (last visited Dec. 16, 2016).

- d. **Provide all documents that relate in any way to your responses to this question and its subparts.**

RESPONSE: See NDIC File; "Final Report of Sampling and Remediation Efforts on Van Hook Wildlife Management Area Impacted by the Lunker Federal #2-33-4H" dated September 9, 2013 ("Final Report"); and December 13, 2012 email notification to NDIC in Folder 11.

12. **State the type of all substances discharged, including the chemical name, formula, and specific gravity. If the material discharged was a mixture, give the percentages of substances in the mixture or solution. List those substances that were discharged that are specifically listed or designated as hazardous substances in the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601, section 101(14), and the regulations promulgated thereunder. Provide copies of the Material Safety Data Sheets, if available.**

RESPONSE: Crude oil and produced water were discharged. Percentages of oil and water were not determined at the time. The Material Safety Data Sheets from December 2013 for Slawson's produced oil and water are included in Folder 12. No

hazardous substances as defined under the Comprehensive Environmental Response, Compensation, and Liability Act were discharged.

- 13. Describe the quantity of each substance that was discharged, the quantity of each substance that entered any water or its adjoining shorelines, and how those quantities were determined. Provide all documents that relate in any way to your determination of such quantities including manifests, disposal records and any other relevant documents.**

RESPONSE: It is difficult to measure the quantity of the substances that were released. The initial estimate was that approximately 1,500 bbls of liquids were released. After the cleanup, the estimate was revised to 1,200 bbls of liquids—approximately 800 bbls of oil and 400 bbls of produced water. *See* NDIC Follow-up Spill Report in Folder 13. No liquid oil or water escaped the dirt perimeter on the outside of the Well Pad. *See* Site Diagram, SPCC Plan, Folder 13 at SECI_CWA308-0236. A fine mist of frozen oil and water landed on the snow on the frozen surface of Lake Sakakawea (“the Lake”) and on the adjoining shoreline. All of the impacted snow was removed from the frozen surface of the Lake and the shoreline. Thus, although the mist landed on the snow on the frozen surface of the Lake and shoreline, it was cleaned up and never reached the liquid water portion of the Lake.

- 14. Describe the purpose and the daily production for the thirty (30) days prior to the discharge of the well associated with the discharge.**

RESPONSE: The Well was spud on August 17, 2012 and completed October 11, 2012 with the initial production testing done on October 25, 2012. From November 12, 2012 to December 12, 2012, Slawson flowed the Well back naturally without using any artificial lift. During that month, the Well sanded up and ceased flowing. Slawson wanted to clean out the sand from the Well prior to installing an artificial lift on the Well. This was part of normal operations to place the Well on production with an artificial lift. *See* NDIC File in Folder 14.

- 15. Provide copies of the analyses of any samples of the discharged substance(s) collected and analyzed, and any other analyses that were conducted as part of the response to the discharge. Describe the locations from which the samples were collected and the time the samples were collected, and identity who collected the samples and the laboratory that conducted the analyses.**

RESPONSE: Slawson hired Lowham Walsh LLC (“Lowham Walsh”), an engineering and environmental consulting firm, to assist with the cleanup of the discharge, sampling, testing, and evaluation. Lowham Walsh prepared progress reports and a final summary of the remediation efforts. It also produced and revised sampling plans for the project. *See* Folder 15. In responding to this Request, Slawson cites directly to the following two reports:

(i) the “Progress on Cleanup of Lunker Federal 2-33-4H” dated February 14, 2013, (“Progress Report”); and

(ii) the “Final Report of Sampling and Remediation Efforts on Van Hook Wildlife Management Area Impacted by the Lunker Federal #2-33-4H” dated September 9, 2013 (“Final Report”).

These two reports describe the locations from which the samples were collected, the time the samples were obtained, and identify who collected the samples. *See also* Sampling Plan prepared by Lowham Walsh in Folder 15.

The laboratory analysis was done by ECS Lab Sciences. The Laboratory Analytical Reports are included as Appendix A to the Final Report at SECI_CWA308-0304-0413.

- 16. State whether there was any blowout prevention equipment on the well at the time of the discharge. If so, describe the equipment and its location at the time of the discharge. Provide wellhead and blowout preventer diagrams for the well associated with the discharge.**

RESPONSE: The blowout prevention (“BOP”) equipment that was on the Well at the time of the discharge is described in response to Request No. 22. A diagram of the standard wellhead and BOP Slawson uses is included in Folder 16.

- 17. Describe the pathway(s) of migration of the discharge from the specific source (wellhead). Include diagrams and topographic or other maps.**

RESPONSE: The pathways of migration from the wellhead are explained in the documents and maps included in Folder 17.

- 18. State whether the substance that was discharged reached or threatened any waterway (i.e., river, creek, intermittent stream, ditch, pond, lake, gully, mudflat, etc.), including any wetlands, marshes or sewers, or the adjoining shoreline of any water.**

- a. Describe the waterways reached or threatened. Include its width and depth, whether water was present, the flow direction, the quantity of flow, and the condition (i.e., low, flooded, quiet, turbulent, etc.) at the time of and since the discharge.**

RESPONSE: Slawson objects to this question as overly broad and vague with respect to the technical terms “waterway,” “wetlands,” “marshes,” “sewers,” and “adjoining shoreline.” Without waiving its General or Specific Objections, Slawson states that the only waterway in the immediate vicinity is the Lake, which was frozen and covered with snow at the time of the incident. Therefore, Slawson could not measure any flow direction,

condition, or quantity of flow at the time. To Slawson's knowledge, the Lake has experienced normal freeze-and-thaw cycles since the incident.

All of the liquid oil and produced water mixture was contained on the Well Pad, which is over a half mile from the Lake. The Lake is very shallow at the point closest to the Well. There is no continuous surface flow into the Lake near the Well Pad. There is only surface flow in heavy precipitation events along a swale as portrayed in the Map of Pathways of Migration, which is contained in Folder 18.

A fine mist of frozen oil and water landed on the snow-covered surface of the frozen Lake. The Lake's frozen status permitted the impacted snow to be removed from the surface. Therefore, although the mist landed on the snow-covered surface of the frozen Lake, it never threatened nor reached the liquid water portion of the Lake.

After the incident, when the Lake melted in the spring of 2013, Slawson did not observe a sheen upon or discoloration of the surface of the water or adjoining shorelines. Nor did Slawson observe any sludge or emulsion beneath the surface of the water or upon adjoining shorelines. Slawson is not aware of any violation of applicable water quality standards resulting from the incident.

- b. Describe the uses of the waterway (i.e., drinking water, agriculture, ranching, recreation, commerce, etc.).**

RESPONSE: To the best of Slawson's knowledge, the Lake is used for drinking water, agriculture, ranching, recreation, and commerce.

- c. Describe the direction and elevation of the well within one mile in each direction of the location of the discharge.**

RESPONSE:

- 1,935 feet north;
- 1,835 feet east;
- 1,848 feet south; and
- 1,878 feet west.

See Map of Pathways of Migration.

- d. Describe any film, sheen, discoloration, or iridescent appearance on the surface of any water or adjoining shorelines caused by the discharge. Identify the individual(s) making the observation, describe the time and location of the observation, and identify other individuals who were with the individual making the observation at the time of the observation.**

RESPONSE: No fluids or other pollutants reached a water or adjoining shoreline. Because the Lake was snow covered and frozen at the time of the incident, Slawson did not observe a sheen on the surface of the water. The impacted snow was removed while the Lake remained frozen. After the incident, when the Lake melted in Spring 2013, Slawson did not observe a sheen upon or discoloration of the surface of the water or adjoining shorelines.

- e. **Describe any sludge or emulsion deposited on the adjoining shorelines or beneath the surface of the waters described above.**

RESPONSE: See response to Request 18.d.

19. **Describe any damage as a result of the discharge, and provide all documents that relate in any way to such damage:**

RESPONSE: Slawson objects to this request on the grounds that it is overly broad, unduly burdensome, and vague with respect to the term “damage.” Without waiving its General or Specific Objections, Slawson responds as follows:

- a. **If damage resulted to animal life, provide the number and species of injured or dead fish, birds, animals, insects, etc.**

RESPONSE: Slawson did not observe any damage to animal life.

- b. **If damage resulted to vegetation, describe how many feet, acres, or miles of land were affected, type of vegetation, crops, timber, forest, prairie grasses, scrub, etc.**

RESPONSE: Some of the grasses and coniferous and deciduous trees located within the nearby Van Hook Wildlife Management Area (“Wildlife Management Area”) were reportedly affected by the fine mist of liquids. At the request of North Dakota Fish and Game Department, the trees were treated with fertilizer. Enviro Shield Products, Inc. of Williston, North Dakota sprayed the trees. On January 9, 2013, approximately 150 coniferous trees were sprayed with Ecobiotic®, and the coniferous trees and deciduous trees were sprayed again on May 20, 2013. These trees are healthy today. *See* Final Report and U.S. Army Corps of Engineers License in Folder 19.

The Wildlife Management Area possesses a drainage pathway for snowmelt which can enter the Lake. As a precautionary measure, and at the request of Kris Roberts from the North Dakota Department of Health, a swath of vegetation was mown to ground level across the drainage, and both hay filters and sorbent booms were laid across the drainage. This action was meant to

capture any petroleum carried by spring melt runoff prior to its reaching Lake Sakakawea.

Additionally, as described in more detail in response to Request 21.a, a prescribed burn was conducted on June 18, 2013 on the impacted grasslands. The burn occurred at the request of North Dakota Game and Fish Department and the U.S. Fish and Wildlife Service. The burn was conducted to minimize the chances that small traces of oil on the grasses would be washed into the Lake. *See* Progress Report, SECI_CWA308-0455; Final Report at SECI_CWA308-0268; Army Corps License at SECI_CWA308-0561 in Folder 19.

- 20. List and describe any sensitive environments, wildlife habitats or refuges, endangered species, water wells, or drinking water intakes within 100 miles downstream of the location of the discharge. Describe the location and distance of each from the point of the discharge. With respect to drinking water intakes in the area, provide the following information:**

RESPONSE: Slawson objects to this request on the grounds that it is overly broad, unduly burdensome, and vague with respect to its scope (“in the area”) and the listed terms. In addition, Slawson objects to the extent the request asks for information that is publicly available, or otherwise not in Slawson’s possession, custody, or control. Without waiving its General or Specific Objections, Slawson states that the Final Report analyzes the impact of the incident on the Wildlife Management Area. In particular, the Final Report concluded that “[a]s a result of extensive cleanup efforts and natural degradation of the hydrocarbons within the impact zone, soil and water sampling campaigns have revealed minimal impact to the WMA and habitat utilized by the Piping Plover.” Final Report at SECI_CWA308-0302.

With respect to the potential water contamination, the samples collected by Lowham Walsh were analyzed, and none of the samples exceeded the North Dakota Department of Health action levels. Additionally, when the samples are compared with EPA contaminant levels that are considered to be protective of groundwater, the values of the samples indicate that no further action should be required. *See* Final Report at SECI_CWA308-0303.

- a. When did you notify the operator of those drinking water intakes of the discharge? Identify the individual that was notified and how the notification was provided. Provide all documents that relate in any way to such notification.**

RESPONSE: Because the discharge could not and did not reach the liquid water of the Lake, there was no possible impact to drinking water.

- b. If your notification to the operator of those drinking water intakes was not provided immediately after it was first suspected that the discharge may have**

occurred, describe the reason for the delay, and provide all documents related in any way to such delay.

RESPONSE: Because the discharge could not and did not reach the liquid water of the Lake, there was no possible impact to drinking water.

21. Provide the date and time the discharge was controlled.

RESPONSE: The discharge was controlled on the evening of December 14, 2012.

a. Describe the steps taken to stop and clean up the discharge, including dates and times of each measure.

RESPONSE: Without waiving its General Objections, Slawson responds as follows: two distinct areas were impacted by the discharge—the Well Pad, and the area north and southwest of the Well Pad. The liquid oil and produced water was contained within the berms around the Well Pad. The lands outside the Well Pad were impacted by a fine frozen mist composed of produced water and oil. Due to the weather conditions, the mist impacted lands north of the Well Pad and the area to the southwest of the Well Pad.

Slawson began cleaning up the impacted areas immediately after the incident was controlled on December 14, 2012. Slawson completed the cleanup around the Well Pad on January 25, 2013. The final cleanup action was the prescribed burn on June 18, 2013.

Specifically, Slawson took the following remediation and cleanup actions:

Well Pad

- **Frac Tanks**

During and after the incident, none of the liquid free oil and produced water left the Well Pad. A number of berms and dikes were in place at the time of the incident, and these structures contained all of the oil and produced water. *See* Site Diagram, SPCC Plan, Folder 21 at SECI_CWA308-0236. Those liquids on the Well Pad were sucked up by a vacuum truck, and the resulting mixture of oil, water, soil and other debris was deposited into closed-top frac tanks (“Frac Tanks”). If the material sucked up by the vacuum truck was mostly impacted snow, the snow was deposited in the Heated Tank described below. In the Frac Tanks, the mixture settled and separated into water, oil, and solids. Slawson also washed the Well Pad with hot water, resulting in a water/crude petroleum liquid mixture, which was subsequently vacuumed up and deposited in the Frac Tanks.

- **Disposal of Vacuumed Oil, Water, Soil, and Debris**

The vacuumed oil, water, soil, and other debris mixture were pumped to the Frac Tanks. To the extent possible, Slawson let the liquids and other materials in the Frac Tanks settle and separate into liquids and solids. The produced water and oil were separated via wiers and piped to the oil and water tanks on the Well Pad. The water portion was ultimately utilized as frack water. The recovered oil was added to the produced petroleum tank on the Well Pad and subsequently sold. The solids which settled out of the solution, were collected and transported to Sawyer Disposal to be placed in a landfill. The remaining liquid/sludge mixture was allowed to settle to see if more liquid could be separated.

Impacted Snow Covered Lands

- **Lands Adjacent to the Well Pad – Sections 28 and 33**

The lands impacted by the discharge were located in Sections 28 and 33 of R91W-T152W. These lands were impacted by a fine mist of frozen liquids that fell on the snow-covered ground. Slawson removed snow and a very small amount of soil from the impacted portions of this property. The removed snow, with a small amount of soil, was deposited into an open top heated 500 bbl frac tank on the Well Pad (the “Heated Tank”). The Heated Tank melted the snow, and the resulting water and small amount of oil was separated via wiers and piped to the oil and water tanks on the Well Pad. The water portion was ultimately utilized as frack water. The recovered oil was added to the produced petroleum tank on the Well pad and sold. A total of 40 loads of impacted snow were hauled to the Heated Tank: 15 loads from Section 33 and 25 loads from the Well Pad and Section 28.

- **Frozen and Snow-Covered Surface of Lake Sakakawea – R91W-T152W, Section 32.**

Trace amounts of oil and produced water were sprayed into the air, and the fine frozen mist landed on the snow-covered surface of an isolated bay of Lake Sakakawea. All relevant areas of the Lake were frozen. The Well Pad is over a half mile (3,190 feet) from the Lake. At the request of and in consultation with the Army Corps, Slawson removed the impacted snow from the surface of the frozen water. The impacted snow was transported in 22-yard belly dump trailers to the Heated Tank. This removal required 12 trailer loads, and a total of 12 barrels of water was recovered after melting the snow. The hydrocarbon component was visible as a mere sheen on the surface of the water derived from melting of the snow in the Heated Tank. No sheen was visible on the Lake or shoreline during the

removal of the impacted snow. The oil, water, and solids were disposed of as set forth above.

- **The Heated Tank**

Prior to melting the impacted snow, the Heated Tank was steam cleaned. After the impacted snow was melted and removed, the Heated Tank was cleaned multiple times. Despite these repeated steam cleanings, a slight hydrocarbon sheen was visible inside the tank. This same hydrocarbon sheen was visible on the surface of the water derived from melting of the snow in the tank. The extent of the sheen in the tank was minimal.

Temporary Additional Berm – Sections 28 and 33

Other immediate actions taken on the Section 28 and 33 lands included construction of a temporary berm across the natural drainage of this property. The temporary berm prevented flow of liquids into the Wildlife Management Area to the southwest. This temporary berm was removed following completion of snow and soil removal. The land was returned to its natural contour.

Wildlife Management Area - R91W-T152N, Section 32

Impacts to the Wildlife Management Area included deposit of a fine mist of frozen liquids upon both grasses and coniferous and deciduous trees. To conduct cleanup operations on the Wildlife Management Area, Slawson received a license from the Army Corps (License Number DACW45-3-13-8024). *See* Folder 21 for a copy of the license.

Upon request by North Dakota Fish and Game personnel, deciduous and coniferous trees were sprayed with Ecobiotic® to minimize any potential damage to the trees. *See* Final Report at SECI_CWA308-0268. Enviro Shield Products, Inc. of Williston, ND conducted the spraying. Approximately 150 coniferous trees were sprayed twice—first on January 9, 2013 and again on May 20, 2013. The deciduous trees were also sprayed on May 20, 2013.

The Wildlife Management Area possesses the drainage pathway for snow melt which can enter Lake Sakakawea. As a precautionary measure, and at the request of Kris Roberts, North Dakota Department of Health, a swath was mown to ground level across the drainage, and both hay filters and sorbent booms were laid across the drainage. This action was intended to capture any petroleum carried by spring melt runoff prior to its reaching Lake Sakakawea. In addition, hay filters were installed at each end of culvert located in Sections 32 and 33. The locations of the hay filters and sorbent booms are identified in the Final Report. *See* Final Report at SECI_CWA308-0260.

Oil and Produced Water Volumes

It is difficult to estimate the exact volume of the oil and water discharged because of the combination of oil, water, soil, and other debris making up the liquids in the Heated Tank. However, at the time of the incident, the discharge was estimated at 1,500 bbls of liquids. Slawson's best estimate is that the blowout released approximately 1,200 bbls of liquids: 800 bbls of oil and 400 bbls of produced water. Lowham Walsh estimated that 99 percent of the discharged liquids were recovered. *See Progress Report in*

Monitoring and Remediation Activities

After the physical cleanup around the Well Pad was completed, Slawson conducted additional monitoring and remediation activities, such as monitoring the impacted lands during spring runoff, treating the impacted trees with Ecobiotic[®] Spray, and collecting and analyzing water samples.

The final remediation event was the prescribed burn of impacted upland grasses on June 18, 2013. The prescribed burn was requested by North Dakota Game and Fish Department and the U.S. Fish and Wildlife Service to minimize the chances that small traces of oil on the grasses would be washed into the Lake. Slawson hired a contractor to conduct the burn. The burn was delayed until June 18 because of an unusual spring weather season with a blizzard and a three-week rainy spell. *See Progress Report, SECI_CWA308-0455; Final Report at SECI_CWA308-0268; Army Corps License at SECI_CWA308-0561 in Folder 21.* A map of the prescribed burn area is available in Figure 2 of the Final Report, and photographs of the burn are provided in Appendix B of the Final Report.

The Final Report includes a complete description of the monitoring and remediation activities conducted on the impacted zone. *See SECI_CWA308-0267-0268.*

b. Describe steps taken to mitigate any environmental damage.

RESPONSE: See the Response to Request 21.a. Additionally, the Progress Report and Final Report describe steps taken to mitigate any environmental damage. *See Folder 21.*

c. Provide all documents that relate in any way to your response to this question 21 and its subparts.

RESPONSE: Documents responsive to this request are provided in Folder 21.

22. Describe the cause (i.e., equipment failure, operator error, inadequate procedures or maintenance, etc.) of the discharge.

a. **Describe events leading up to the discharge. This response must include a discussion of the following:**

- I) The date and time when anyone working for you or on your behalf first had any indication that there may have been a discharge or problem that could lead to a discharge. Your response to this request must identify the persons involved and state their relationship to you.**
- II) All actions taken by anyone working for you or on your behalf, after there was any indication that there may have been a discharge or problem that could lead to a discharge, to stop the flow of oil to the location of the discharge. In your response:**
 - i. Describe each step taken by each individual from the time of the first indication that there was an issue with the well or any other indication that there might be a potential discharge from the well until the time the discharge was stopped;**
 - ii. Identify the persons involved;**
 - iii. State their relationship to you; and**
 - iv. State the date and time of each action or step taken by each person. Provide any documents prepared by those persons, or prepared with input from, or information supplied by, those persons, regarding such actions taken, and any logs that were generated from the first indication that there was an issue with the well or any other indication that there might be a potential discharge from the well until the time when the discharge was stopped.**
- III) Any estimate or calculation, including a detailed description of the basis for that estimate or calculation, of the amount of oil that continued to flow out of the well associated with the discharge from the time anyone working for you or on your behalf first had any indication that there may have been a discharge or problem that could lead to a discharge until the time when the flow of oil through the well associated with the discharge had ceased.**

RESPONSE: Slawson objects to this request to the extent that it calls for a legal conclusion, is overly broad, and unduly burdensome. Without waiving its Specific or General Objections, Slawson responds as follows:

Events Leading Up to the Discharge

On December 12, 2012, Mr. Garcia, a Slawson contractor, was operating a Magna Well Service rig to perform a cleanout operation on the Well. The Magna Well Service Crew was conducting the actual operations. Mr. Garcia was using a mixed string of 2-3/8" and 2-7/8" tubing to perform the cleanout. The 2-3/8" string was used to fit inside the 4-1/2" casing, and the 2-7/8" string was used to

resist buckling uphole in the 7" casing. To avoid getting the BOP stack too high, Mr. Garcia made a modification to the BOP stack by removing the blind rams, which was not authorized by Slawson and was inconsistent with Slawson's standard operating procedure. If the work floor gets too high, it makes it hard for the operator to see his personnel, which raises a safety concern. The result of the unauthorized modification was that the BOP stack was equipped with two sets of pipe rams and no blind rams. Mr. Garcia used a set of undersized elevators that ultimately failed and caused the pipe to fall down the wellbore. When the pipe dropped into the wellbore, Mr. Garcia was unable to shut-in the well because he had removed the blind rams. The pipe dropped into the wellbore at approximately 3:30 p.m. CST.

The Discharge: As discussed above, during the cleanout operation on December 12, 2012, a set of undersized elevators failed and the tubing dropped down the wellbore. Because no blind rams were present, the well could not be shut-in. Shortly after the tubing dropped into the wellbore, the Well began to discharge an observable mixture of oil and produced water in liquid form and mist.

The Well Pad was immediately evacuated, and Wild Well Control was called. When Wild Well Control arrived, they began operations to regain control of the Well.

After well control was lost and the site evacuated, Kyle Waliezer, Slawson's production foreman, served as Slawson's incident commander in charge of the Well Pad. By approximately 3:30 p.m. CST on December 14, 2012, the Well appeared to have died down. The Magna Well Service Crew and Jim Burtyk (a Slawson employee) removed the old BOP. The new BOP was picked up by a crane and was ready to be installed. The new BOP was lowered onto the wellhead and secured with four bolts. The Well started to pressure up again, and the new BOP successfully controlled the well.

As discussed above, the preliminary estimate for the amount of liquids released was 1,500 bbls. *See* NDIC Follow-up Spill Report. Slawson's current best estimate is that the blowout released approximately 1,200 bbls of liquids: 800 bbls of oil and 400 bbls of produced water. *See* Final Report.

- b. Describe any measures taken, or planned to be taken, to prevent any future discharges.**

RESPONSE:

At the time of the incident, Slawson had established protocols for well cleanout or workover procedures. For well cleanout, the normal protocol is to have a Class 3 BOP stack as follows: Bottom BOP equipped with 2-3/8" and 2-7/8" pipe rams, Upper BOP equipped with either two blind rams or one blind ram and an auxiliary

set of pipe rams (2-3/8" or 2-7/8"). An annular preventer is required to be located on top of both types of BOPs. These protocols remain in place.

Whenever possible, cleanouts of this type should be performed with Coil Tubing for complete pressure control. If coiled tubing is unworkable, a Class 3 or Class 4 BOP stack should be employed on a rig that has an elevated Operator's floor to allow the Operator to see what is transpiring on the work floor. Any lifting equipment or pressure control devices should be sized correctly and should be adequate for the specific job. All parties should have a pre-spud meeting to review the job objectives and risks. If any party sees any safety concern at all, they have the authority to shut down the job and call the operations manager in Denver.

- c. **Provide all documents that relate in any way to your response to this question 21 and its subparts.**

RESPONSE: Slawson has provided documents responsive to this request.

23. **List the federal, state, tribal, and/or local agencies to which the discharge was reported. State the date and time of the notification and identify the official contacted. For any notifications that were not provided immediately after the time you had knowledge of the discharge, describe why such notifications were delayed.**

- a. **Identify all persons from the above-mentioned agencies, and those who were working for you, or on your behalf, who were present at or near the location of the discharge at the time of the discharge or during the response thereto.**

RESPONSE: On the afternoon of December 12, 2012, Kyle Waliezer, Slawson's field production foreman, notified the Sheriff and the Fire Department. Ray Gorka in Slawson's Denver Office reported the incident to the North Dakota Industrial Commission ("NDIC") by email on December 13, 2012. *See Folder 23.*

Numerous personnel from numerous federal and state agencies were involved in the response to the incident. The principal contacts at the referenced agencies are the following:

- Kris Roberts, Environmental Response Team Leader, North Dakota Department of Health
- William Harlon, Environmental Protection Specialist, U.S. Army Corps of Engineers
- Kent Luttschwager, Wildlife Resource Supervisor, North Dakota Game and Fish Department
- Jessica Johnson, U.S. Forest Service.

A meeting was held at the Army Corps' office in Riverdale, North Dakota on January 17, 2013 to discuss and coordinate cleanup and remediation of the incident. The attendance sign-up sheet for the meeting is included in Folder 23.

b. Provide copies of all documents or reports prepared by federal, state, tribal, and/or local agencies regarding the discharge.

RESPONSE: Slawson has provided email correspondence between federal and state agency personnel and Slawson. *See* Folder 23.

24. Describe any fines assessed in conjunction with the discharge by any government entity. Identify the agency(ies), amount of the fines, and the dates assessed, and provide all documents related to such assessment.

RESPONSE: The well blowout was the subject of NDIC Case No. 20012, Order No. 26526. On March 19, 2013, the NDIC filed a Complaint against Slawson for the following alleged violations of the North Dakota Administrative Code ("NDAC"):

- Section 43-02-03-28 for failure to control subsurface pressure;
- Section 43-02-03-28 by allowing oil to flow over and pool on the surface of the land and infiltrate the soil; and
- Section 43-02-03-27(1)(g) relating to a failure to timely file required information with fracfocus.

Slawson and the NDIC entered into an Administrative Consent Agreement ("Consent Agreement") in September 2013 pursuant to which Slawson paid a fine of \$62,500 and \$4,025 in costs. The Consent Agreement found that Slawson's violations of the referenced NDAC sections were unintentional. A copy of the NDIC Order dismissing the case, together with the Consent Agreement, Complaint and Answer are included in Folder 24.

Additionally, on February 26, 2013, Slawson paid \$5,000 to the Three Affiliated Tribes-MHA Energy Division to offset any expenses incurred by the Energy Division relating to the incident. *See* Folder 24. The MHA Energy Division had issued a citation to Slawson on February 4, 2013, but Slawson maintains the belief that the Three Affiliated Tribes lack jurisdiction over Slawson and the activities pertaining to the well blowout. Notwithstanding that position, Slawson responded to the citation by paying the requested amount.

25. Describe any previous discharges from the well or the facility associated with the well that contributed to the discharge within the past five years.

For previous discharges:

- a. State the type of all substances discharged, including the chemical name, formula, and specific gravity. If the material discharged was a mixture, please**

give the percentages of substances in the mixture or solution. Use the following format:

<u>Date</u>	<u>Substance</u>	<u>Source Quantity</u>	<u>Waterway Affected/Threatened</u>	<u>Cause</u>
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RESPONSE: There were no previous discharges from the Well or facility. After the discharge, there was one spill of one bbl of oil and 20 bbls of produced water on December 23, 2014. The spill occurred during a truck-loading operation and was completely contained inside the berm. The cause of the spill was human error by the driver of the truck. *See* NDIC Follow-up Spill Report in Folder 25.

- b. Describe any measures taken to prevent or mitigate future discharges from the well following the discharges listed above, and provide all documents related to such measures.

RESPONSE: Slawson's response to Request 22.b explains the measures taken to prevent or mitigate future discharges.

26. Provide any additional pertinent information and documents that you have related to the discharge. Please submit color photographs, or color photocopies, of photos. If you have any of the following documents in your possession, submit copies of those documents.

- a. USGS topographic maps (of the facility and of the discharge);
- b. Geographic Information System (GIS) maps or data;
- c. Aerial photography, both current and historical;
- d. Hydrologic flow and fate or transport models;
- e. Wetland and stream functional models;
- f. Stream profiles and culvert sizes;
- g. Stream gauge data; and
- h. Precipitation records.

RESPONSE: Slawson has provided a GIS map of the Lunker Well Pad, which is based on a USGS topographic map. Slawson has also included a Google Earth photograph of the area. *See* Folder 26. Slawson does not have any of the other requested documents in its possession.

27. Identify the persons that were consulted regarding the response to this RFI, and provide their relationships to the owner or operator of the well associated with the discharge.

RESPONSE:

Person Consulted	Relationship to Slawson
Matt Houston	Slawson Operations Manager
Ray Gorka	Slawson Environmental/Regulatory Analyst
Kurt Petersen	Slawson Vice President
Randy Dann	Partner at Davis Graham & Stubbs, LLP and Outside Counsel to Slawson
Tarn Udall	Associate at Davis Graham & Stubbs, LLP and Outside Counsel to Slawson

Slawson Exploration Company, Inc.
Response to Request for Information Pursuant to Section 308 of the Clean Water Act,
33 U.S.C. § 1318
Statement of Certification

The foregoing responses and attachments to the U.S. Environmental Protection Agency's ("EPA") Request for Information Pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 ("Request") were prepared under my primary direction or supervision. Slawson Exploration Company, Inc. ("Slawson") has made a thorough effort to collect, review, summarize, and produce documents and information in its possession and control that are responsive to EPA's Request. This effort was conducted to enable Slawson to respond accurately, in good faith, and to the best of its knowledge based on its understanding of the Request and consistent with its obligations under the Clean Water Act. Based on information and belief formed after a reasonably inquiry, the information submitted is true, accurate, and complete.

KMP

Signature

12/19/16

Date

KURT M. PETERSEN, VICE PRESIDENT

Printed Name and Official Title



RECEIVED

DEC 20 2016

Office of Enforcement, Compliance
and Environmental Justice (Water)

December 20, 2016

Via Hand Delivery

U.S. Environmental Protection Agency
Region 8 (8ENF-UFO)
1595 Wynkoop Street
Denver, Colorado 80202-1129
Attn: Darla Hohman

Re: Response to Request for Information Pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 – Slawson Exploration Company, Inc.

Dear Ms. Hohman:

Enclosed please find Slawson Exploration Company, Inc.'s ("Slawson" or "Company") response ("Response") to the above-referenced Request for Information ("Request") dated October 19, 2016, concerning a well blowout that occurred on December 12, 2012 near New Town, North Dakota in Mountrail County. Slawson received the Request on October 24, 2016.

To formulate this Response, Slawson has initiated a diligent review effort and has responded to U.S. Environmental Protection Agency's ("EPA") Request to the best of its knowledge in the time available and is providing information that the Company believes to be responsive to the Request. The event at issue occurred over four years ago, and Slawson has responded to the best of its recollection. Slawson has consulted both internal and external counsel in responding to EPA's Request. At EPA's request, Slawson representatives are available to explain the Response and answer any questions that may arise from EPA's review of the enclosed information and produced documents.

Enclosed with this letter you will find a DVD with twenty-seven (27) electronic file folders corresponding to each of the questions listed in the Request and which contain available and responsive documents, which are also individually Bates stamped. In some cases, the electronic file folders may be empty, as the Request either did not require documentation or Slawson does not (and is not required to) possess responsive information.

Slawson has made a thorough effort to collect, review, summarize, and produce documents and information in its possession and control that are responsive to the Request. This effort was conducted to enable Slawson to respond accurately, in good faith, and to the best of its knowledge, consistent with its obligations under Clean Water Act § 308, 33 U.S.C. § 1318. In providing this Response, including documents produced herewith, Slawson reserves and does not waive any and all claims and defenses to which it may be entitled under applicable law.


Rocky Mountain Division

1675 Broadway, Suite 1600
Denver, Colorado 80202
(303) 592-8880 - FAX (303) 592-8881

If you have any questions regarding this response, please do not hesitate to contact me at 303-592-8880.

Sincerely,

SLAWSON EXPLORATION COMPANY, INC.



Kurt M. Petersen
Vice President

Enclosure (DVD)

Contents of Electronic Folders
Slawson Exploration Company, Inc.'s Response to Section 308 Request for Information

1. Folder 1:
 - a. North Dakota Scout Ticket for the Lunker Well
2. Folder 2:
 - a. North Dakota Scout Ticket for the Lunker Well (duplicate from Folder 1)
 - b. NDIC File for the Well
 - c. Affidavit of Production
3. Folder 3:
 - a. List of Working Interest Ownership in the Well
4. Folder 4:
 - a. Empty
5. Folder 5:
 - a. Empty
6. Folder 6:
 - a. Corporate Information – Kansas and North Dakota
7. Folder 7:
 - a. Corporate Information – Kansas and North Dakota (duplicate from Folder 6)
8. Folder 8:
 - a. SPCC Plan and Annual Reports for 2013, 2014 2015 and 2016
9. Folder 9:
 - a. SPCC Plan and Annual Reports for 2013, 2014 2015 and 2016 (duplicate from Folder 8)
10. Folder 10:
 - a. Empty
11. Folder 11:
 - a. Final Report of Sampling and Remediation Efforts on Van Hook Wildlife Management Area Impacted by the Lunker Federal #2-33-4H Results of Sampling Area Impacted by Lunker Federal dated September 9, 2013, prepared by Lowham Walsh LLC

- b. December 13, 2012 email notification to the NDIC
- c. NDIC File for the Well (duplicate from Folder 2)

12. Folder 12:

- a. Material Safety Data Sheets dated 12/21/2013

13. Folder 13:

- a. NDIC File for the Well (duplicate from Folder 2)
- b. SPCC Plan and Annual Reports for 2013, 2014 2015 and 2016 (duplicate from Folder 8)

14. Folder 14:

- a. NDIC File for the Well (duplicate from Folder 2)

15. Folder 15:

- a. Progress Report on Cleanup of Lunker (2/4/13)
- b. Progress Report on Cleanup of Lunker (2/14/13)
- c. Revised Sampling Plan (4/5/13)
- d. Weekly Inspection Reports (4/1 and 4/4/13)
- e. April 1 Inspection Report
- f. Final Report of Sampling and Remediation Efforts on Van Hook Wildlife Management Area Impacted by the Lunker Federal #2-33-4H Results of Sampling Area Impacted by Lunker Federal dated September 9, 2013, prepared by Lowham Walsh LLC (duplicate from Folder 11)

16. Folder 16:

- a. Blowout Preventer Diagram

17. Folder 17:

- a. Map of Pathways of Migration

18. Folder 18:

- a. Map of Pathways of Migration (duplicate from Folder 17)

19. Folder 19:

- a. Final Report (duplicate from Folder 15)
- b. Army Corps of Engineers License
- c. Progress Report on Cleanup of Lunker (2/14/13) (duplicate from Folder 11)

20. Folder 20:

- a. Final Report (duplicate from Folder 11)

21. Folder 21:

- a. Progress on Cleanup of Lunker (2/14/13) (duplicate from Folder 15)
- b. Final Report (duplicate from Folder 11)
- c. Army Corps of Engineers License (duplicate from Folder 19)
- d. SPCC Plan and Annual Reports for 2013, 2014 2015 and 2016 (duplicate from Folder 8)

22. Folder 22:

- a. Empty

23. Folder 23:

- a. December 13, 2012 email notification to the NDIC (duplicate from Folder 11)
- b. Email discussion of 1/17/2013 meeting and attendance sheet
- c. Emails to and from State and Federal agency personnel and Slawson personnel

24. Folder 24:

- a. NDIC Case No. 20012, Order No. 26526
- b. Letter/Fine to Three Affiliated Tribes

25. Folder 25:

- a. NDIC Follow-up Spill Report – December 23 and 24, 2014

26. Folder 26:

- a. USGS topographic map, GIS map of the Lunker Well Pad; and a google earth photograph of the area

27. Folder 27:

- a. Empty